

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: CV 20-02291-DOC (KESx)

Date: October 6, 2020

Title: *LA Alliance for Human Rights, et al. v. City of Los Angeles, et al.*

Present: The Honorable **ANDRÉ BIROTTE JR., United States District Judge**

Carla Badirian
Deputy Clerk

N/A
Court Reporter

Attorney(s) Present for Plaintiff(s):

None Appearing

Attorney(s) Present for Defendant(s):

None Appearing

Proceedings: [In Chambers] ORDER SETTING MEDIATION WITH CITY AND COUNTY OF LOS ANGELES IN CONTINUATION OF SETTLEMENT EFFORTS

The Court has reviewed the parties' Confidential Joint Status Report Re: Memorandum of Understanding for 6,700 Bed Plan that was submitted to the Court on October 5, 2020 at approximately 9:26 p.m.

The Court is extremely disappointed and dismayed that in the nearly four months since the parties reached a "historic agreement to provide 6,700 beds and shelter opportunities, with services, for people experiencing homelessness," the parties continue to bicker, waste time, and not finalize a memorandum of understanding. The Joint Report is hardly "joint" at all. It is riddled with unnecessarily rigid positions by both parties that suggest an unwillingness to do what they have repeatedly represented to the Court that they would do: work collaboratively to address a crisis of unprecedented magnitude in Los Angeles. If the parties are unable to reach agreement on this preliminary aspect of this litigation, it does not bode well for the nearly

60,000 people experiencing homeless in the City and the County of Los Angeles.

While it should be unnecessary, the Court feels compelled to remind the parties that the challenge of homelessness, and the parties' decades-long inability to jointly address it, has plagued this region for more than 30 years. In 1985, the *L.A. Times* wrote:

The tents are down. The homeless are back on the streets. And Los Angeles city and county governments have taken little new action to alleviate their plight.

City and county governments traditionally have been wary of crossing jurisdictional lines, but this problem begs for the attention of both. The county has responsibility for welfare questions, and the city oversees many building and safety aspects involved in sheltering the homeless. It is time for leadership from both the mayor's office and the county Board of Supervisors to pull all the players together in one room and lock the door until they have assigned tasks to start finding land and money for shelters, with deadlines for doing so. . .

So far the county has done only what the courts have ordered it to do. The city has been equally reluctant to take the lead. The homeless don't really care who helps, but someone must. Next Christmas there need be no tent city if both governments act now.¹

Based on the report submitted on October 5, 2020, it appears that the parties are more intent on repeating history than changing it. There are 80 days until Christmas and both governments need to act now. History should not be doomed to repeat itself here, and the Court is committed to ensuring that the City and County work together to finalize a Memorandum of Understanding that adequately addresses the Binding Term Sheet. While it is unfortunate that the Court has to intervene, it appears that the parties cannot resolve matters on their own.

¹ *Help the Homeless*, L.A. Times (Jan. 8, 1985), <https://www.latimes.com/archives/la-xpm-1985-01-08-me-7426-story.html>.

As such, the Court **ORDERS** the following parties and individuals to attend a mediation on Thursday, October 8, 2020 at 10:00 a.m. in an effort to finalize the Memorandum of Understanding²:

—**From the City of Los Angeles:** City representatives, including City Administrative Officer Richard Llewellyn, Jr.; Deputy Mayor for Homelessness Initiatives Jose “Che” Ramirez; Chief of Staff to Council President Nury Martinez, Ackley Padilla; and City Homelessness Coordinator Meg Barclay.

—**From the County of Los Angeles:** Representatives from the Offices of Board of Supervisors Chair Kathryn Barger and Supervisor Mark Ridley-Thomas.

In order to comply with public health guidance, this meeting shall be held at the County of Los Angeles’ Hall of Administration located at 500 West Temple Street, Los Angeles, CA 90012.

In anticipation of the mediation, the Parties are **ORDERED** to submit confidentially to the Court the latest version of the draft MOU by 9:00 a.m. on October 7, 2020. The Court further **ORDERS** the parties to ensure that they have access to the proper equipment necessary to exchange further drafts at the mediation.

IT IS SO ORDERED.

² In order to maximize the effectiveness of the mediation, the Court respectfully requests that the Elected Officials referenced in this order be available, at a minimum by telephone, should their involvement in finalizing the Memorandum of Understanding become necessary.